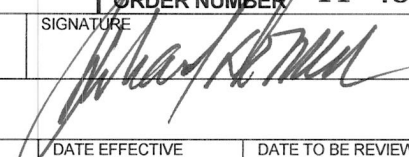




POLICE DEPARTMENT COUNTY OF SUFFOLK
ACCREDITED LAW ENFORCEMENT AGENCY
DEPARTMENT DIRECTIVE
PDCS-2008a

PAGE 1 OF 3 PAGES

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE 	
SUBJECT/TOPIC/TITLE BYSTANDERS AT POLICE INCIDENTS			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 09/08/11	DATE EFFECTIVE 09/08/11	DATE TO BE REVIEWED N/A

ORDER NUMBER 11-43

Rules and Procedures, Chapter 9, Section 21, is amended to relocate procedure regarding recorded media in the possession of a bystander. Reference has been added in this section to the relocated procedure.

The relocated procedure has been amended and incorporated into a newly created section of the Rules and Procedures, Chapter 9, Section 27, titled "Recorded Media in the Possession of Bystanders at Police Incidents".

RULES AND PROCEDURES

CHAPTER 9: TITLE: PATROL OPERATIONS

SECTION 21: TITLE: BYSTANDERS AT POLICE INCIDENTS

I. PURPOSE

To establish procedures for a member of the Service to follow when dealing with bystanders at the scene of an incident.

II. POLICY

The Department respects the civil rights of all members of the public. These rights extend to bystanders at police incidents. Along with these rights a bystander must adhere to certain guidelines in order for police activity to proceed unhindered and also for the safety of the public. Members of the Service should assume their activities, at all times, are being observed and recorded.

III. DEFINITIONS

A. Bystander - One present but not taking part in a situation or event: a chance spectator.

B. Recorded Media - Still photographs, video and audio recordings in any format.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Bystander Rights at Police Incidents - Bystanders may be allowed to remain at a police incident as long as their presence and activities are lawful and do not in any way compromise the safety or outcome of police activity, or violate the privacy of the detainee or victim. In regard to this bystanders may:

1. Observe the incident.
2. Produce recorded media, subject to guidelines detailed in Chapter 9, Section 27 of these Rules and Procedures.
3. Make comments in regard to the incident.

B. Bystander Restrictions at Police Incidents - Members of the Service must control all incidents they are involved in. Bystanders must be uninvolved spectators and not in any way interfere with police activity. Bystanders must not:

1. Enter any restricted areas (may remain at locations open to the public).
2. Interfere with police operations.
3. Violate any laws.
4. Compromise the safety of an officer, detainee or any other member of the public.

a. Note: Recording undercover/plainclothes officers/operations conducted in locations

open to public view is not unlawful. Department members shall refer to Chapter 26, Section 2(VI)(E) for direction should members of the media record undercover/plainclothes operations.

5. Threaten by words or actions.

6. Attempt to incite others to violate the law.

(C. is deleted.)

VII. ACCREDITATION STANDARD REFERENCES

N/A

VIII. INDEX

Bystander 9/21

Commanding Officers are directed to inform all members of their commands of this amendment and to have them note the change in the appropriate section of their Rules and Procedures. The printing of Chapter 9, Section 21 will be distributed in the future.

END